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Jones

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(54) METHOD OF PREPARING A CONFECTIONERY PRODUCT MADE OF PROTEIN AND CARBOHYDRATE MATERIALS PRESENT IN A RELATIVE WEIGHT RATIO HIGHER THAN 1

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(*) Notice: Subject to any disclaimer, the term of this

patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

This patent is subject to a terminal dis-

claimer.

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Related U.S. Application Data

- (60) Continuation of application No. 10/647,466, filed on Aug. 26, 2003, now abandoned, which is a division of application No. 10/117,111, filed on Apr. 8, 2002, now Pat. No. 6,749,886, which is a continuation of application No. 09/920,802, filed on Aug. 3, 2001, now Pat. No. 6,432,457, which is a division of application No. 09/639,851, filed on Aug. 16, 2000, now Pat. No. 6,299,929, which is a continuation of application No. 08/246,369, filed on May 19, 1994, now abandoned, which is a continuation of application No. 07/891,929, filed on Jun. 1, 1992, now abandoned, which is a continuation of application No. 07/641,131, filed on Jan. 15, 1991, now abandoned.
- **426/600**; 426/656; 426/658; 426/658; 426/657

See application file for complete search history.

(56) References Cited

U.S. PATENT DOCUMENTS

3,185,574	Α	*	5/1965	Gabby et al 426/549
3,814,819	A		6/1974	Morgan
3,976,800	A	水	8/1976	Deininger et al 426/311
4,152,462	A		5/1979	Hayward et al.
4,303,691	Α	*	12/1981	Sand et al 426/573
4,415,596	A		11/1983	Andersen et al.
4,832,971	Α		5/1989	Michnowski
4,900,566	A	*	2/1990	Howard 426/72

5,389,395	A *	2/1995	Joseph et	al	426/72
6,299,929	B1*	10/2001	Jones		426/656
6,432,457	В1	8/2002	Jones		
6,749,886	B2*	6/2004	Jones		426/656

FOREIGN PATENT DOCUMENTS

BE	0754215	12/1970	
DE	2853194	6/1980	
GB	2085273	4/1982	
GB	2186177	* 3/2008	

OTHER PUBLICATIONS

Defendant Elan Nutriton Inc.'s Brief in Support of its Motion for leave to Amend Answer (Case NO. 2:02-cv-0304 WKS U.S. District Court for the District of Vermont) (With Exhibits listed below), no date provided.

Second Amended Answer to Complaint (Exhibit A to B1), no date provided.

Draft of Second Amended Answer to Complaint (Exhibit B to B1), no date provided.

Amendment and Request for Reconsideration under 37 C.F.R. 1.111 for U.S. Appl. No. 07/641,131, filed Nov. 12, 1991 (Exhibit C to B1). Proposed Amendment and Request for Reconsideration under 37 C.F.R. 1.116 for U.S. Appl. No. 07/641,131, filed Jan. 15, 1991 (Exhibit D to B1).

Request for Reconsideration under 37 C.F.R. 1.111 for U.S. Appl. No. 07/641,131 (Exhibit E to B1), no date provided.

Amendment and Request for Reconsideration under 37 C.F.R. 1.116 for U.S. Appl. No. 07/891,929, filed Jun. 1, 1992 (Exhibit F to B1). SUPRO 710 Isolated Soy Protein Product Description (Exhibit I to B1), no date provided.

SUPRO 670 Isolated Soy Protein Product Description (Exhibit J to B1), no date provided.

Recommended Applications for Purina Proteins (Exhibit K to B1), no date provided.

Expert Report of Ann H. Grev Civil No. 6:02-CV-304 (Exhibit L to B1), no date provided.

Brief on Appeal for U.S. Appl. No. 08/246,369 filed May 19, 1994 (Exhibit M to B1).

Amendment and Request for Reconsideration under 37 C.F.R. 1.111 for U.S. Appl. No. 07/891,929, filed Jun. 1, 1992 (Exhibit N to B1). Amendment and Request for Reconsideration under 37 C.F.R. 1.111 for U.S. Appl. No. 08/246,369, filed May 19, 1994 (Exhibit O to B1). Examiner's Action for U.S. Appl. No. 07/891,929 (Exhibit P to B1), no date provided.

(Continued)

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(57) ABSTRACT

The invention provides a method of making confectionery bar comprising a proteinaceous material and a carbohydrate material in a relative weight ratio higher than 1 (from 1:0 to about 1:0.999). The bar produced is very palatable and chewy and has good organolepetic properties. It may be coated (enrobed) or not as desired. The product of the invention provides a meal replacement for very low calorie diets, diet supplement or protein supplement, and may optionally comprise a carbohydrate material of low digestibility or indigestible nature.

4 Claims, No Drawings